

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 MIRANDA KANE (CABN 150630)
3 Criminal Chief

4 JOSHUA HILL (CABN 250842)
Assistant United States Attorney

5 1301 Clay Street, Suite 340-S
6 Oakland, California 94612
Telephone: (510) 637-3740
7 Facsimile: (510) 637-3724
8 E-Mail: Joshua.Hill2@usdoj.gov

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,)	No. 4-11-70769-MAG
)	
14 Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE STATUS
15 v.)	CONFERENCE AND EXCLUDE TIME
)	UNDER THE SPEEDY TRIAL ACT
16 GERMAINE RAMSEY,)	
)	
17 Defendant.)	
_____)	

18
19 IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its
20 attorney, Joshua Hill, and the defendant through her attorney, Elena Condes, that the preliminary
21 hearing or arraignment presently set for October 18, 2011, be continued to November 17, 2011 at
22 9:30 a.m. Defense counsel requires additional time to review the produced discovery and
23 conduct necessary investigation. The parties agree that the delay is not attributable to lack of
24 diligent preparation on the part of the attorney for the government or defense counsel. For these
25 reasons, the parties request that time under the Speedy Trial Act be excluded based on the
26 defense's need for reasonable time necessary for effective preparation, taking into account the
27 exercise of due diligence. Defendant also agrees to waive the timing of a preliminary hearing or
28 indictment under 18 U.S.C. § 3161(b) and Federal Rule of Criminal Procedure 5.1. The parties

STIPULATION AND ~~PROPOSED~~ ORDER
No. 4-11-70769-MAG

1 agree that the waiver covers all time between the date of this stipulation and November 17, 2011.

2 IT IS SO STIPULATED:

3 Dated: October 17, 2011

/S/
ELENA CONDES
Attorney for Defendant

6 Dated: October 17, 2011

/S/
JOSHUA HILL
Assistant United States Attorney

9 **ORDER**

10 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this
11 matter now scheduled for October 18, 2011 is hereby rescheduled for November 17, 2011 at 9:30
12 a.m. Based upon the representation of counsel and for good cause shown, the Court also finds
13 that failing to exclude the time between October 17, 2011 and November 17, 2011 would
14 unreasonably deny the defense the reasonable time necessary for effective preparation, taking
15 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further
16 finds that the ends of justice served by excluding the time between October 17, 2011 and
17 November 17, 2011 from computation under the Speedy Trial Act outweigh the best interests of
18 the public and the defendant in a speedy trial. Therefore, it is hereby ordered that the time
19 between October 17, 2011 and November 17, 2011 shall be excluded from computation under
20 the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). In addition, upon consent of
21 defendant, the timing of a preliminary hearing or indictment is waived pursuant to 18 U.S.C. §
22 3161(b) and Federal Rule of Criminal Procedure 5.1. The waiver covers all time between
23 October 17, 2011 and November 17, 2011.

25 DATED: October 17, 2011



LAUREL BEELER
United States Magistrate Judge